

**AMENDMENT TO H.R. 5658, AS REPORTED  
OFFERED BY MS. GINNY BROWN-WAITE OF  
FLORIDA**

At the end of subtitle A of title VIII, insert the following new sections:

**1 SEC. 808. DEBARMENT OR SUSPENSION FROM FEDERAL  
2 CONTRACTING FOR EMPLOYMENT OF ILLE-  
3 GAL ALIENS.**

4 (a) REQUIREMENT.—In the case of a contract award-  
5 ed by the Department of Defense, if the Secretary of De-  
6 fense determines, by a preponderance of the evidence, that  
7 the contractor performing the contract directly employed,  
8 or had knowledge of a subcontractor's employment of, any  
9 alien whose immigration status does not authorize the  
10 alien to be so employed, the Secretary shall—

11 (1) debar or suspend the contractor in accord-  
12 ance with the Federal Acquisition Regulation; and

13 (2) terminate the contract in accordance with  
14 the Federal Acquisition Regulation, unless the con-  
15 tractor or subcontractor, as the case may be, agrees  
16 to terminate the employment of any such alien.

1 (b) PERIOD OF DEBARMENT OR SUSPENSION.—The  
2 period of debarment or suspension under subsection (a)  
3 shall be 3 years.

4 (c) ANNUAL REPORT.—The Secretary of Defense  
5 shall submit to Congress each year a report describing—

6 (1) the contractors that the Department of De-  
7 fense has debarred or suspended pursuant to this  
8 section;

9 (2) the contracts that the Department has ter-  
10 minated pursuant to this section; and

11 (3) any cost implications of debarments, sus-  
12 pensions, or terminations of contracts referred to in  
13 paragraphs (1) and (2).

14 **SEC. 809. PROHIBITION ON DEPARTMENT OF DEFENSE**  
15 **FROM CONTRACTING WITH COMPANIES NOT**  
16 **PARTICIPATING IN BASIC PILOT PROGRAM.**

17 No contract may be awarded by the Department of  
18 Defense to an entity that employs individuals unless the  
19 entity agrees to elect to participate in the basic pilot pro-  
20 gram described in section 403(a) of the Illegal Immigra-  
21 tion Reform and Immigrant Responsibility Act of 1996  
22 (8 U.S.C. 1324a note).

